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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,546	10/04/2000	Douglas G. Keithley	10003131-1	1128

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
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EXAMINER

LEE, CHEUKFAN

ART UNIT PAPER NUMBER

2622

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/680,546

Applicant(s)

KEITHLEY ET AL.

Examiner

Cheukfan Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-10, and 13 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 1-4 and 7-10 is/are allowed.  
6) ☒ Claim(s) 13 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

1. Claims 1-4, 7-10 and 13 are pending. Claim 13 is newly added. Claims 1, 2, 7, 8, and 13 are independent.

2. Applicant's arguments with respect to claim 13 have been considered but are moot in view of the new ground(s) of rejection.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kurosu et al. (U.S. Patent No. 5,181,260) in view of Ui et al. (U.S. Patent No. 6,340,984).

Regarding claim 13, Kurosu et al. discloses a system comprising an automatic document feeding device for feeding a document to be scanned, a scanner equipped with the feeding device for scanning the document image and converting the image data to digital image data (col. 6, lines 16-19 and 55-60), a skew detector (3 or 4) for detecting or measuring a skew (angle) in the image (col. 6, line 61 – col. 7, line 58), and image correction unit (6) for correcting the digital image data as a function of the skew (angle) (col. 7, line 59 – col. 8, line 38).

Kurosu et al. differs from the claimed invention in that Kurosu et al. detects the skew in the digital image generated by the scanner, whereas the claimed invention

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detects skew in the sheet media or the document being scanned. However, detecting skew in sheet media fed by a sheet feeder and using the detected skew to correct digital image data is taught by Ui et al. (line sensor LS, col. 3, line 66 – col. 4, line 68, col. 5, line 1 – col. 7, line 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a skew detector (linear sensor) in the device of Kurosu et al., for detecting skew in the document being fed by the automatic document feeding device and correct the digital image as a function of the detected skew as taught by Ui et al., instead of using the digital image data skew detector (3 or 4) of Kurosu et al., in order to simplify the skew detector process for documents of different thickness and/or size (Ui et al., col. 1, lines 29-35).

5. Claims 1-4 and 7-10 are allowed. Claim 1 has been amended to include limitation of claim 6, now canceled, which was indicated to be allowable subject matter in the previous Office action dated Dec. 18, 2003. Claim 2 has been rewritten in independent form. Claim 2 was indicated to contain allowable subject matter in that previous Office action. Claims 3 and 4 depend upon claim 2. Claim 7 has been amended to include limitation of claim 12, now canceled, which was indicated to contain allowable subject matter. Claim 8 has been rewritten in independent form. Claim 8 was indicated to contain allowable subject matter. Claims 9 and 10 depend upon claim 8.

Reasons for allowance for the allowable limitations have been given in the previous Office action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (703) 305-4867. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee  
May 19, 2004

A handwritten signature in black ink, appearing to read 'Cheukfan Lee', with a stylized flourish underneath.